

Civil Court of the City of New York

County of KINGSPart 34Index Number 114716/10Motion Cal. # 1+2 Motion Seq. # 2+3

DECISION/ORDER

Recitation, as required by CPLR §2219 (a), of the papers considered in the review of this Motion:

Claimant(s)/Plaintiff(s)/Petitioner(s)

against

ROMAINE E. PRAGE
-GUARANTOR
TAISHA DEAN

Defendant(s)/Respondent(s)

Papers

Numbered

Notice of Motion and Affidavits Annexed..... 1-2Order to Show Cause and Affidavits Annexed..... 3-4Answering Affidavits 5-6

Replying Affidavits.....

Exhibits

Other: ORDER OF J. LEVINE DATED 7-84/29/15 - LIMITED NOTICE OF APPEARANCEUpon the foregoing cited papers, the Decision/Order on this Motion to vacate judgmentto restore the case to the calendar is denied. The motion is as follows:

Direction TP Morgan Chase to release non-exempt funds
is granted to the effect that the funds in the
account are deemed exempt & the money in
the account may be released to the defendant &
any money taken from the account -
to be returned to the defendant. Account is released.

Anyholdbacked. The defendant was unduly defendants guarantor.
The entered stipulation for lesser amount claimed but did not comply.
The position of the guarantor has not changed. Notices ~~was~~ of default
provided. Even though it stated Mr Prage signed the stipulation -
which he did not sign - he failed to take any action & had
the affirmations state he was notified of court date. He was represented
by counsel. This is the court's decision of & order after oral argument.

MAY 22 2015

Date

Judge, Civil Court

HON. STEVEN Z. MOSTOFISKY